

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

MARK ATKINS,

Plaintiff,

v.

Case No. 21-CV-1433

HUDSON COUNTY REHABILITATION CENTER, *et al.*,

Defendants.

ORDER

On March 7, 2022, *pro se* plaintiff Mark Atkins filed a notice of voluntary dismissal of his case, and his case was dismissed. (ECF No. 9.) On October 31, 2022, Atkins filed a motion to reopen his case. (ECF No. 10.) He states he now has the funds to proceed with his case and would like the court to reopen it. He notes that the court informed him in the order assessing the initial partial filing fee that if he voluntarily dismissed his case, he could refile the case at any time.

The court notes that Atkins appears to be incarcerated at Hudson County Correctional Center in Kearney, New Jersey, and that both defendants he is suing are located in Hudson County New Jersey. It is not clear to the court what ties any of the parties may have to the Eastern District of Wisconsin. Atkins, then, may want to consider filing this case in the United States District Court for the District of New Jersey, because it is the more appropriate venue.

However, if Atkins wants to proceed with his case here in the Eastern District of Wisconsin, to have his case reopened he must pay the sum of \$68.27 as an initial partial filing fee within 21 days of the date of this order. If he pays the filing fee by this deadline, the court will reopen the case and screen his complaint..

IT IS THEREFORE ORDERED that if Atkins wants to reopen his case, he must pay the sum of \$68.27 as an initial partial filing fee by **November 28, 2022**.

Dated at Milwaukee, Wisconsin this 4th day of November, 2022.

BY THE COURT

A handwritten signature in blue ink that reads "Nancy Joseph". The signature is written in a cursive style with a large initial "N".

NANCY JOSEPH

United States Magistrate Judge